

DRAWING AMENDMENTS

Enclosed is a Replacement Sheet revising Figure 2 of the drawing, and a New Sheet adding Figure 3 to the drawing.

REMARKS

Applicant has carefully reviewed the Official Action dated November 8, 2010, placing this patent application under Final Rejection.

On January 21, 2011, Applicant filed an Amendment After Final Rejection. By Advisory Action dated March 4, 2011, the Examiner refused to enter the Amendment After Final Rejection on the grounds that the revisions to the Specification and Drawings contained new matter.

Although the Advisory Action dated March 4, 2011 did not state whether the Declaration Under 37 C.F.R. Section 1.132, filed with the Amendment After Final Rejection on January 21, 2011, was considered by the Examiner, by telephone message from Examiner MacArthur on March 4, 2011, the Examiner advised that the Declaration was not considered.

With reference to the Interview Summary dated March 8, 2011, the undersigned confirms that the Examiner advised the undersigned, by voice mail message left on the undersigned's telephone answering machine on March 4, 2011, that the Examiner did not consider the Declaration filed with the Amendment After Final Rejection on January 21, 2011. The undersigned also confirms that the voice mail message left by the Examiner also discussed the Declaration along the lines set forth in the Interview Summary. However, the undersigned

was not able to respond to this discussion by the Examiner since it was left as a voice mail telephone message. In fact, the undersigned disagrees with the position taken by the Examiner at the last three paragraphs of the attachment to the Interview Summary dated March 8, 2011. However, since the Declaration has not yet been entered in this patent application, and has not yet been formally considered by the Examiner at this time, the undersigned will defer responding to the Examiner's comments until such time that the Declaration is entered and formally considered by the Examiner.

The present Amendment is accompanied by a Request For Continued Examination (RCE), the applicable petition for extension of time, and the applicable fee for filing the RCE and for the requested extension of time.

In the Advisory Action dated March 4, 2011, the Examiner states that proposed revision to Figure 2 of the drawing, enclosed with the Amendment After Final Rejection, contains a new matter element 5 in that the newly proposed element 5 does not illustrate elements 7 and 10. Enclosed is a Replacement Sheet for Figure 2 in which openings 10 are illustrated. The pins 7 are not illustrated in Figure 2 since Figure 2 is a cross section of Figure 1 in which the pins 7 are not received in the openings 10.

The Advisory Action also states that new Figure 3, filed with the Amendment After Final Rejection, contains new matter because the exact shape of interaction between elements 7, 2

and 5 does not conform to the shape of interaction between these elements in original drawing Figure 2. Enclosed is a New Sheet for Figure 3 in which the shape of the interaction between elements 7, 2 and 5 conforms to that illustrated in original drawing Figure 2.

The Advisory Action also states that the proposed Figure 3 does not appear to show any force loading. Applicant respectfully disagrees with this conclusion. Figure 3 illustrates the device, as loaded, in which pins 7 are inserted into and received within the openings 10. Figure 3 so illustrates the openings 10, which were not illustrated in the New Sheet for Figure 3 filed with the Amendment After Final Rejection.

Applicant respectfully submits that the enclosed revisions to Figure 2, and new Figure 3, do not contain new matter.

In the Advisory Action, the Examiner states that the Amendment to the Specification proposed in the Amendment After Final Rejection, that "Fig. 3 shows the coupling sleeve with the locking device loaded and the rock bolt separated from the coupling sleeve.", adds new matter to this patent application. Applicant respectfully disagrees with the Examiner's conclusion. Page 2, first and second paragraphs of the Specification as originally filed, fully disclose that after the drilling operation is completed, the rock bolt is separated from the coupling sleeve but the drilling machine and the coupling sleeve remained coupled together.

This occurs when the locking device is loaded (i.e., when the drilling machine is locked to the coupling sleeve).

Applicant respectfully submits that the amendments to the drawing and Specification made herein overcome the objections raised by the Examiner in the Advisory Action, and do not add new matter to this patent application.

Enclosed herewith is a Declaration Under 37 C.F.R. Section 1.132 in which Mr. Lars Persson, an expert in the field of rock drilling, provides his opinion regarding the Examiner's basis for the objection and rejection of independent claim 1, made in the Final Action dated November 8, 2010, that the recitation "...said locking device is loaded to retain the rock drilling machine coupled to the coupling sleeve only when the rock bolt is disconnected from said coupling sleeve by rotation of said rock drilling machine in a direction for disconnecting said first part of said coupling sleeve from said rock bolt... (emphasis added)" , is directed to matter not described in the original Specification and not illustrated in the original drawing.

The enclosed Declaration is identical to the Declaration filed with the Amendment After Final Rejection on January 21, 2011, which was not considered by the Examiner.

Mr. Persson's opinion is that a person of ordinary skill in the relevant art, rock drilling, would clearly recognize from the disclosure in the original Specification, that the locking device

is loaded (locked) to lock the drilling machine to the coupling sleeve only when the drilling device is rotated in a direction to separate the rock bolt from the coupling sleeve, and not during a percussion operation.

Applicant respectfully requests that the objections and rejections based upon the recitation in the claim, that the locking device is loaded (locked) to lock the drilling machine to the coupling sleeve only when the drilling machine is rotated in a direction to separate the rock bolt from the coupling sleeve, and not during a percussion operation, be reconsidered and withdrawn in view of the enclosed Expert Declaration.

At page 6, first paragraph of the Final Action, the Examiner questions a situation in which the rock drilling machine is removed from the coupling sleeve while the rock bolt remains connected to the coupling sleeve. Applicant respectfully submits that this inquiry is not relevant to the scope of independent claim 1. As discussed in the enclosed Expert Declaration, the term "loaded" is equivalent to the term "lock". Accordingly, when the rock drilling machine is removed from the coupling sleeve, it will not be "locked" to the coupling sleeve, and thus the locking device will not be "loaded". Moreover, independent claim 1 expressly recites that the locking device is "loaded" when the drilling machine is rotated in a direction to separate the rock bolt from the coupling sleeve. This can only occur when the drilling machine is connected to the coupling sleeve, and not removed from the coupling sleeve.

At page 6 of the Final Action, independent claim 1 has been rejected under 35 U.S.C. Section 103(a) as being obvious over a combination of WO 02/057591 and the Sanderson patent (US Patent No. 1, 994, 792). The rejection of independent claim 1 over the two applied prior art references has been fully discussed at pages 3 – 8 of the Request To Reopen Prosecution And Amendment filed September 15, 2010. Applicant respectfully incorporates by reference herein the specific arguments made in the response filed on September 15, 2010.

Applicant respectfully submits that when all recitations in independent claim 1 are given the patentable consideration to which they are entitled, including the recitation that the locking device is loaded to retain the rock drilling machine connected to the coupling sleeve only when the rock bolt is disconnected from the coupling sleeve by rotation of the rock drilling machine in a direction for disconnecting the coupling sleeve from the rock bolt, it is clear that independent claim 1 defines patentable subject matter over the two applied prior art references, and that there is no teaching, suggestion or motivation in the prior art itself, or within the common knowledge of a person of ordinary skill in the relevant art, to modify the applied references in any manner rendering independent claim 1 obvious.

Applicant respectfully submits that independent claim 1 is in condition for allowance, and dependent claim 2 is allowable, at least for the same reasons as parent independent claim 1.

Applicant submits, for the reasons discussed herein and in the Request To Reopen Prosecution And Amendment filed on September 15, 2010, that this patent application is in condition for allowance, and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M P Stone', with a stylized flourish at the end.

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